



PATENT
Customer No. 22,852
Attorney Docket No. 09454.0002-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
David W. Vos et al.) Group Art Unit: 3746
Application No.: 10/051,304) Examiner: W. Rodriguez
Filed: January 22, 2002) Confirmation No.: 5251
For: OPTIMIZATION METHOD FOR)
POWER GENERATION SYSTEMS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, Athena Technologies, Inc., duly organized under the laws of Delaware and having its principal place of business at Virt Hill Tech Park, 6786 Watson Ct., Warrenton, Virginia 20187, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, Application No. 10/051,304, filed January 22, 2002, for OPTIMIZATION METHOD FOR POWER GENERATION SYSTEMS in the names of David W. Vos and Benjamin Russ, as indicated by assignment attached hereto. Assignee, Athena Technologies, Inc., further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent Nos. 6,171,055 and 6,340,289, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 015810, Frame 0763 on September 23, 2004.

08/03/2005 SZEWDIE1 00000124 10051304

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To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent Nos. 6,171,055 and 6,340,289. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee payment of \$130.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916.

The undersigned is authorized to act on behalf of assignee Athena Technologies,
Inc.

Respectfully submitted,

By:


Signature

Name: David W. Vas
Title: Chief Executive Officer
Assignee: Athena Technologies, Inc.

Dated: 8/02/05

ASSIGNMENT

WHEREAS I/We, the below named inventor(s), [hereinafter referred to as Assignor(s)], have made an invention entitled:

OPTIMIZATION METHOD FOR POWER GENERATION SYSTEMS

for which I/We executed an application for United States Letters Patent concurrently herewith or filed an application for United States Letters Patent on January 22, 2002, (Application No. 10/051,304); and

WHEREAS, Athena Technologies, Inc., a corporation of Delaware, whose post office address is Vint Hill Tech Park, 6786 Watson Ct., Warrenton, Va. 20187 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for good and valuable consideration the receipt of which from Assignee is hereby acknowledged, I/We, as Assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, my/our entire right, title, and interest in and to this invention, and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, as well as all rights to claim priority on the basis of this application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/We hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY covenant that I/We have the full right to convey the interest assigned by this Assignment, and I/We have not executed and will not execute any agreement in conflict with this Assignment;

AND, I/WE HEREBY further covenant and agree that I/We will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to me/us respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I/We have hereunto set our hands.

| | | |
|-----------------------------|-------|---|
| County of <u>Fauquier</u>) | ss.) | Name: <u>David W. Vos</u> |
|) |) | Address: <u>3839 Cobble Mountain Road</u> |
|) |) | <u>Delaplane, Virginia 20144</u> |
| State of <u>Virginia</u>) |) | By: <u>RC</u> |
|) |) | Date: <u>7/14/05</u> |

Subscribed and sworn to before me this 14th day of July, 2005
Carrie L. Mallius, Notary Public

SOLE/Joint Invention
(Worldwide Rights)
Attorney Docket No. 09454.0002-02

County of Fauquier)

) ss.

Name: Benjamin Russ
Address: 8014 Greenwich Road
Catlett, Virginia 20119
By: Benjamin Russ
Date: 7/14/2005

State of Virginia)

Subscribed and sworn to before me this 14th day of July, 2005
Carrie J. Mullins, Notary Public



LMW/JCTK

9454.0002

UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARCH 24, 2005

PTAS



102846047A

FINNEGAN, HENDERSON, FARABOW ET AL
LIONEL M. LAVENUE
1300 I STREET, N.W.
WASHINGTON, D.C. 20005-3315

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/23/2004

REEL/FRAME: 015810/0763

NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:
DABULAMANZI HOLDINGS, LLC

DOC DATE: 08/26/2004

ASSIGNEE:
ATHENA TECHNOLOGIES, INC.
VINT HILL TECH PARK
WARRENTON, VIRGINIA 20187

SERIAL NUMBER: 09054411

FILING DATE:

PATENT NUMBER: 6171055

ISSUE DATE: 01/09/2001

TITLE: SINGLE LEVER POWER CONTROLLER FOR MANNED AND UNMANNED AIRCRAFT

RECEIVED

MAR 28 2005

FINNEGAN, HENDERSON, FARABOW,
GARRETT AND DUNNER, LLP

015810/0763 PAGE 2

MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS.

1-31-92

09-28-2004

Attorney Docket No. 09454.0002
Attorney Customer Number: 22,852

Mail Stop Assignment Recordation Services

To the Director of the U.S. Patent
Please record the attached origin

102846047

1. Name of conveying party(ies)
Dabulamanzi Holdings, LLCAdditional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

 Assignment Merger Security Agreement Change of Name Other:

Execution Date: August 26, 2004

4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application:

A. Patent Application Number(s):

B. Patent Number(s):

6,171,055

Additional numbers attached?

 Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Lionel M. Lavenue

6. Total number of applications and registrations involved:
1

Internal Address: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

Street Address: 1300 I Street, N.W.

City: Washington, D.C.

State: Zip: 20005-3315

7. Total fee (37 CFR 3.41): \$40

Enclosed (Please charge deficiency to deposit account)

Authorized to be charged to deposit account

8. Deposit Account No.: 06-0916

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

09/27/2004 DBYRME 00000056 6171055

40.00 DP

Christopher T. Kent
Reg. No. 48,216

Signature

September 23, 2004

Date

Total number of pages including cover sheet, attachments and documents: 2

ASSIGNMENT

WHEREAS Dabulamanzi Holdings, LLC, a corporation of Delaware, whose post office address is Vint Hill Tech Park, 6786 Watson Ct., Warrenton, Virginia 20187, (hereinafter referred to as Assignor), owns an invention entitled:

SINGLE LEVER POWER CONTROLLER FOR MANNED AND UNMANNED AIRCRAFT

for which U.S. patent application no. 09/054,411 was filed on April 3, 1998, now U.S. Patent No. 6,171,055 issued on January 9, 2001; and

WHEREAS, Athena Technologies, Inc., a corporation of Delaware whose post office address is Vint Hill Tech Park, 6786 Watson Ct., Warrenton, Virginia 20187 (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent issued upon this application, including U.S. Patent No. 6,171,055;

NOW THEREFORE, be it known that, for good and valuable consideration the receipt of which from Assignee is hereby acknowledged, I/We, as Assignor(s), have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, my/our entire right, title, and interest in and to this invention, provisional Application No. _____, filed _____ (if any), and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, including U.S. Patent No. 6,171,055 and all reissues thereof, and all rights to claim priority on the basis of the above provisional application (if any), as well as all rights to claim priority on the basis of this application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and I/We hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, I/WE HEREBY covenant that I/We have the full right to convey the interest assigned by this Assignment, and I/We have not executed and will not execute any agreement in conflict with this Assignment;

AND, I/WE HEREBY further covenant and agree that I/We will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to me/us respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, I/We have hereunto set our hands.

County of Fauquier)

ss.

By:

Typed

Name:

Title:

Date:


David W. Vos
Chief Executive Officer
8/14/04
Dabulamanzi Holdings, LLC
Vint Hill Tech Park
6786 Watson Ct.
Warrenton, Virginia 20187

State of Virginia)

Subscribed and sworn to before me this 26th day of August, 2004
Carrie L. Mullins, Notary Public